

Section II. (Remarks)

Acknowledgement of Allowance of Claims 5-8 and 10-18

The allowance of claims 5-8 and 10-18 in the March 18, 2004 Office Action is acknowledged.

Amendment of Claims 1, 2 and 9

In response to the rejection of claims 1 and 9, discussed hereinafter, such claims have been amended to add the proviso in claim 1 that when Cu is Cu(II) and each of R, R' and R'' is H, x is not equal to 1, with claim 9 correspondingly reciting that when each of R, R' and R'' is H, x is not equal to 1.

In response to the prospective allowability of claims 2-4 is rewritten in independent form, claim 2 has been amended herein to place same in allowable independent form. Claims 3 and 4 are each directly dependent from claim 2 and therefore are likewise allowable.

Rejection of Claims 1 and 9, and Traversal Thereof, as Applied to Amended Claims 1 and 9

In the March 18, 2004 Office Action, claims 1 and 9 were objected under 35 USC §102(b) as anticipated by U.S. Patent No. 5,087,609, based on the disclosure in the '609 patent of Cu(OEtAm)₂ (column 2, line 50).

In response, claim 1 has been amended to recite that when Cu is Cu(II) and each of R, R' and R'' is H, x is not equal to 1. Claim 9 has been likewise amended to recite that when each of R, R' and R'' is H, x is not equal to 1. Claims 1 and 9 as amended therefore exclude the composition of the '609 patent.

Accordingly, claims 1 and 9 as amended are patentably distinguished over the '609 patent, and in form and condition for allowance.

Fee Payable for Rewritten Independent Claim 2

In connection with the rewriting of claim 2 in independent form, the number of independent claims in the application has been increased by 1, resulting in a fee of \$86.00 being payable therefor.

Accordingly, a Credit Card Payment Authorization Form in the amount of \$86.00 is enclosed herewith in payment of such added claims fee. Any additional fee or charge properly payable in connection with the entry of this amendment hereby is authorized to be charged to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Conclusion

Based on the amendment of claims 1, 2 and 9 herein, all pending claims 1-18 are now in proper form and condition for issue of a corresponding U.S. patent on the present application.

Favorable action therefore is requested.

Respectfully submitted,



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